

#6 DAE

PTO/SB/64/PCT (12-04)
Approved for use through 03/31/2007. OMB 0651-0021
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)	Docket Number (Optional)
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First Named Inventor: JOSEPH CONVERY
International (PCT) Application No.: 10/053,849
Filed: 1/22/2002
Title: IMPROVED ALARM NETWORK
U.S. Application No.:
(if known)

Attention: PCT Legal Staff
Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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The above-identified application became abandoned as to the United States because the fees and documents required by 35 U.S.C. 371(c) were not filed prior to the expiration of the time set in 37 CFR 1.495(b) or (c) as applicable. The date of abandonment is the day after the date on which the 35 U.S.C. 371(c) requirements were due. See 37 CFR 1.495(h).

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee
- (2) Proper reply
- (3) Terminal disclaimer with disclaimer fee which is required for all international applications having an international filing date before June 8, 1995; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee
☒ Small entity - fee \$ 750.00 (37 CFR 1.17(m)). Applicant claims small entity status.
See 37 CFR 1.27.
☐ Other than small entity - fee \$ _____ (37 CFR 1.17(m))

2. Proper reply
A. The proper reply (the missing 35 U.S.C. 371(c) requirement(s)) in the form of _____ (identify type of reply):
☐ has been filed previously on _____
☒ is enclosed herewith.

[Page 1 of 2]

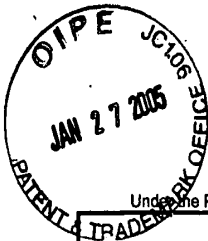
This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

02/01/2005 AWONDAF1 00000055 10053849

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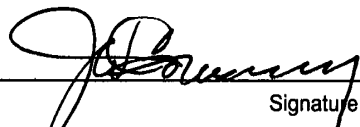
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

- ☒ Since this international application has an international filing date on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.


Signature

1-26-05

Date

JOSEPH CONVERY

Typed or Printed Name

Registration Number, if applicable

621 COLFORD AVE.

Address

856 854-5800

Telephone Number

COLLINGSWOOD, N.J. 08108

Address

- Enclosures: ☒ Response
- ☒ Fee Payment
- ☒ Terminal Disclaimer
- ☐ Other (please identify):

COLONIAL TRANSPORT, INC.

24 LEES AVENUE
COLLINGSWOOD, NJ 08108

(856) 854 - 5699

FAX (856) 854 - 6631

(856) 854-5800

1-800-992-9295



December 17, 2004

Honorable Commissioner
Of Patents and Trademarks
Washington, DC 20231
Art Unit 2632
Examiner: Julie Lieu

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Dear Ms. Lieu:

When I last spoke to you in July of this year we discussed the attached notice of abandonment.

I also explained that we applied and paid for an extension and you noted it had not been credited.

You then suggested that we apply for another extension because the one in question was far over the limit anyway you and said you would verify our situation if another extension was not granted.

In the mean time Julie, we have traveled to Taiwan on two different occasions in order to perfect this product. So now we are finally answering your suggestion to amend claim No. 3, which is also attached.

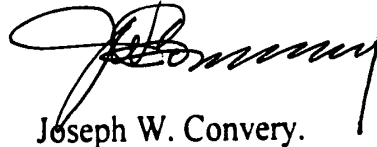
Additionally we would appreciate your suggestion regarding the next procedure.

Should we petition to revive under 37CFR1.137 or request to withdraw abandonment under 37CFR1.181?

If allowable please call me on the 800# listed above or e-mail your suggestions to joeconvery@hotmail.com. and I will forward whatever fee is applicable.

Again thank you in advance for your expertise and guidance.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Convery", with a stylized flourish at the end.

Joseph W. Convery.

JWC:klh



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SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>1. Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.</p> <p>a Print your name and address on the reverse so that we can return the card to you.</p> <p>b Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature</p> <p><input checked="" type="checkbox"/> X <input type="checkbox"/> Agent</p> <p>B. Requested by (Print name)</p> <p>C. Date of Delivery</p>	
<p>2. Article Addressed to:</p> <p>HONORABLE COMMISSIONER OF PATENTS & TRADEMARKS WASHINGTON, D.C. 20521</p>		<p>3. Is delivery desired from Item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>4. Restricted Delivery? (Date Recd) <input type="checkbox"/> Yes</p>	
<p>5. Service Type</p> <p><input checked="" type="checkbox"/> Registered Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>			
<p>6. Restricted Delivery? (Date Recd) <input type="checkbox"/> Yes</p>			
<p>7. Postmark: 2004 1350 0003 6246 9679</p>			
<p>PS Form 3811, February 2004</p>		<p>10238-02-01 (1-04)</p>	



Notice of Abandonment

Application No.

10/053,849

Applicant(s)

CONVERY, JOSEPH

Examiner

Julie Lieu

Art Unit

2636

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 07 July 2003.
- (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
- (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
- (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
- (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
- (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
- (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
- (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
- (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
- (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

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Julie Lieu
Primary Examiner
Art Unit: 2636

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.